



Administrative Progress Report (APR) September 2006

To: POST Commissioners and Advisory Committee Members

From: KENNETH J. O'BRIEN
Executive Director

The Administrative Progress Report (APR) is a monthly status report that informs POST Commissioners and law enforcement officials of recent progress on POST projects and instructional programs under development, and other information of importance to our mission to continually enhance the professionalism of California law enforcement.

UPDATING OF SEXUAL ASSAULT INVESTIGATION GUIDELINES, CURRICULUM, AND TELECOURSE

Penal Code Section 13516 requires the Commission to prepare guidelines establishing standard procedures for law enforcement agencies investigating sexual assault cases. This statute also requires POST to prepare and implement a course of training for specialists in sexual assault cases and mandates that investigators assigned to handle these cases complete the training within six months of assignment. The guidelines and curriculum, last revised in 1999, were recently updated to incorporate changes in law and investigative procedures.

A group of subject matter experts convened in August 2006 and began updating the Sexual Assault Investigation guidelines, curriculum, and the accompanying training telecourse. POST staff held two workshops with subject matter experts including law enforcement officers from various city, county, state, and federal agencies, forensic examiners, criminalists, counselors, advocates, psychologists, and attorneys to design the updated structure and content of the guidelines, curriculum, and telecourse.

The project will address the common misconceptions and realities about sexual assault and will stress the importance of a coordinated, professional response to sexual assault investigations. Filming of the telecourse, scheduled to begin in November 2006, will include scenarios depicting how a sexual assault investigation should be initiated, conducted, and completed. The DVD telecourse, guidelines, and curriculum are tentatively scheduled for release in mid-2007.

Questions about the Sexual Assault Investigation guidelines, curriculum, and telecourse may be directed to Senior Consultant Tricia Chisum, Training Program Services Bureau, at (916) 227-4895 or patricia.chisum@post.ca.gov.

POST DEVELOPING VEHICLE PURSUIT TRAINING

In September, staff met with subject matter experts (SMEs) to develop video-based training to address the training mandates of SB 719 - Police Pursuits (Romero, 2005). This was the second of three meetings in production of the *Vehicle Pursuit Telecourse*. The Telecourse will cover training on the 15 subjects delineated in Penal Code §13519.8 and required by Vehicle Code §17004.7 for immunity from liability arising from vehicle pursuits. The original *Vehicle Pursuit Guidelines*, published in 1995, were revised and were approved by the Commission at the July 2006 meeting.

The *Vehicle Pursuit Telecourse* will be released in early 2007. POST staff and SMEs have also begun work on a *Vehicle Pursuit Line-Up Training* DVD which will utilize pursuit-related scenarios. This "Line-Up Training" format requires law enforcement supervisors to be trained in its use. Trained supervisors or instructors may use the POST videos to stimulate facilitated discussion among the trainees.

SB 719 requires agencies to annually review their vehicle pursuit policy to provide training to officers relative to their specific policy and the 15 subject areas delineated in Penal Code §13519.8. Agencies can use the pursuit-related "Line-Up Training" video to meet these requirements.

Questions about SB 719 - Pursuit Training or the *Vehicle Pursuit Telecourse* may be directed to Senior Consultant Bryon G. Gustafson, Training Program Services Bureau, at (916) 227-3902 or bryon.gustafson@post.ca.gov.

NUMBER OF ICI CERTIFICATES ISSUED PASSES THE 1,400 MARK

During September, the number of certificates issued under the auspices of the Robert Presley Institute of Criminal Investigation (ICI) passed the 1,400 mark. ICI certificates are issued upon completion of the ICI Core Course, a Foundation Specialty (an investigative focus, e.g., burglary or homicide), and three elective courses. There are 13 Foundation Specialty areas: Homicide Investigation accounted for the greatest number of certificate issuance, followed by Computer Crime Investigation, and Sexual Assault Investigation. Interestingly, recent curriculum development and enhancement efforts have also been focused in these subject areas.

The Homicide Investigation Course has undergone a significant overhaul; subjects such as elder and child abuse, as well as gang indicia, have been included in the curriculum. Additionally, an Advanced Homicide Investigation Course has been developed to accommodate highly-experienced homicide investigators. The emphasis in Computer Crime Investigation training has shifted from forensics (i.e., investigation of crimes committed via computers) to informing investigators about the value of digital evidence to all criminal investigations.

The Sexual Assault Investigation Course curriculum is currently being revised. The curriculum will stress the importance of thoroughness and a coordinated, professional response to incidents of sexual assault.

Questions about Robert Presley Institute of Criminal Investigation (ICI) certificates or about the ICI Program may be directed to Senior Consultant Mike Hooper, Training Program Services Bureau, at (916) 227-3912 or mike.hooper@post.ca.gov.

COMMAND COLLEGE GRADUATES CLASS 39 AND PREPARES TO COMMENCE CLASS 42

On September 15, 2006, Command College Class 39 graduated 20 students at the Residence Inn in Oxnard. William J. Bratton, Chief of the Los Angeles Police Department (LAPD), was the guest speaker, and Captain Jeri Weinstein, also from the LAPD, was the class speaker. Award recipients included Dr. Howard Prince, Ph.D, who received the Outstanding Faculty Award while Commander Thomas L. Chronister from the Oxnard Police Department received the Dorothy Harris Award, and Lieutenant Andrew Borrello from the San Gabriel Police Department received the Hank Koehn Award.

Command College Class 42 will commence December 2006. Interviews for 28 candidates are scheduled for October 2006 in either Sacramento or Burbank.

Questions about the Command College program may be directed to Senior Law Enforcement Consultant John Dineen, Center for Leadership Development/Homeland Security Bureau, at (916) 227-4549 or john.dineen@post.ca.gov.

NIMS/SEMS/ICS 300 AND 400 COURSE

Homeland Security Presidential Directive 5 (HSPD-5) directed the Department of Homeland Security (DHS) to develop and implement the National Incident Management System (NIMS) during federal fiscal year 2006/07. A number of specific training requirements need to be accomplished by September 30, 2007, in order to fully comply with HSPD-5.

POST has been working with a number of statewide emergency management subject matter experts to develop training courses that blend the NIMS and the California Standardized Emergency Management System (SEMS) into an integrated course for all law enforcement first responders. The ICS 100, 200, and IS-700 training requirements have been presented since August 2005. POST has completed the development of the *ICS 300 & 400 Course for Response Personnel*, the *ICS 300 & 400 Train-the-Trainer Course for Response Personnel*, and the *NIMS/SEMS/ICS Executive Course for Administrators and Policy Makers*. Each of these courses will meet federal and state training requirements for supervisors, middle managers, command, and executive staff.

The 24-hour *ICS 300 & 400 Train-the-Trainer Course for Response Personnel* was piloted on September 6-8, 2006, at the Orange County Sheriff's Department and will be presented again on October 2-4, 2006, at the Sacramento County Sheriff's Department. A total of 62 instructors attended the two pilot presentations. Course evaluations were positive and modifications to the curriculum have been completed. Once the course is certified, additional train-the-trainer sessions will be scheduled to train approximately 500 new instructors. It is estimated that approximately 17,000 sworn personnel need to be trained prior to the September 30, 2007, federal deadline.

The curriculum for all three courses will be presented to the Commission at its October 2006 meeting for approval. The courses have been submitted to the Department of Homeland Security Office of Grants and Training (G&T) for review and federal approval.

Questions about the NIMS/SEMS/ICS training may be directed to Senior Consultant Don Lane, Center for Leadership Development/Homeland Security Bureau, at (916) 227-3916 or don.lane@post.ca.gov.

PLACER COUNTY CHIEFS EXAMINE POTENTIAL FOR REGIONALIZATION

At the POST-certified Executive Seminar, the Placer Law Enforcement Agencies (PLEA) spent a full day on the topic of regionalization. Due to the large number of impending retirements, the chiefs and sheriff were accompanied by seconds-in-command as part of their succession planning.

The first part of the day included panel presentations by three subject matter experts on regionalization and consolidation issues. Panel members included John Dineen, POST Senior Consultant assigned to the Center for Leadership Development/Homeland Security Bureau; Bill Maheu, Executive Assistant Chief from the San Diego Police Department; and Dave Sylstra, POST Senior Consultant assigned to the Management Counseling Services Bureau. The panel members described various factors involved in sharing resources and out-sourcing services, including the necessity for clearly-identifiable and measurable goals, political buy-in, a cost-benefit analysis, pitfalls, and success stories. The presentations were followed by extensive “question and answer” sessions.

In the afternoon, the Placer County law enforcement executives and the seconds-in-command participated in a facilitated discussion led by POST Master Instructor and Command College graduate Lieutenant Andy Borrello of the San Gabriel Police Department. The panel presentations, group discussions, and conclusions will be presented in a report by Lieutenant Borrello for use by the Placer group in developing future resource-sharing strategies.

Questions about the Placer County Executive Seminar, or POST Executive Seminars in general, may be directed to Senior Consultant Gary Sorg, Center for Leadership Development/Homeland Security Bureau, at (916) 227-2822 or gary.sorg@post.ca.gov.

TESTING ADMINISTRATION AND SECURITY AGREEMENTS UPDATED

The Standards and Evaluation Services Bureau is updating security agreements that govern the acquisition, use, and protection of all test materials developed and supplied by POST. All certified user agencies are being contacted to verify the names of agency personnel authorized to enter into a security agreement and all local staff who have access to POST-supplied test material.

The agreements cover 88 Basic Course presenters, the SIBC, the Requalification Course, and the PC 832 Arrest and Firearms Course. Approximately 314 hiring agencies use the POST entry-level Reading and Writing Test Battery, and 303 agencies use the POST Public Safety Dispatcher Test Battery. Nearly all Basic Course Presenter Agreements have been updated, and staff has verified the status of half of the entry-level exam users.

Work is also underway to implement the new POST Administrative Manual (PAM) procedures which require all Basic Course Presenters to develop and implement local Test Administration and Security Policies and Procedures by January 1, 2007. Approximately one-half of the affected agencies have completed and returned the required documents to POST.

Questions about the Test Administration and Security Agreement Updates may be directed to Senior Personnel Selection Consultant Ken Krueger, Standards and Evaluation Services Bureau, at (916) 227-2810 or ken.krueger@post.ca.gov.

SHERMAN BLOCK SUPERVISORY LEADERSHIP INSTITUTE (SBSLI) GRADUATES CLASSES 203 AND 204

Alumni of the Sherman Block Supervisory Leadership Institute (SBSLI) welcomed two more graduating classes into their ranks this month, increasing the number of SBSLI graduates to over 4,000. Class 203, facilitated by Val Tanguay-Masner and Dennis Glover, graduated September 8, 2006, while Class 204, facilitated by Janet Perez and Michael Yoell, graduated September 20, 2006.

Class 203, whose motto was “Superior Leadership with Integrity,” selected John “JC” Chalmers from the East Palo Alto Police Department, Scott McKnight from the Newport Beach Police Department, and Steven Lowes from the San Bernardino Police Department as class speakers.

Class 204, whose motto was “Leadership through Courage and Perseverance,” selected Michael Burse from the Los Angeles County Sheriff’s Department, John Hollenbeck from the Orange County Sheriff’s Department, and Michael Saffell from the Gardena Police Department as their class speakers.

Pertinent SBSLI information is located at <http://www.post.ca.gov/training/sbsli/default.asp> on the POST website. Questions about the Sherman Block Supervisory Leadership Institute may be directed to Senior Consultant Kate Singer, Center for Leadership Development/Homeland Security Bureau at (916) 227-2824 or kate.singer@post.ca.gov.

INSTRUCTOR STANDARDS ADVISORY COUNCIL MEETS

In August, the Instructor Standards Advisory Council (ISAC) met in San Diego. The ISAC, reviewed recent advancements in instructor standards and discussed future opportunities and challenges for law enforcement training. POST staff outlined the implementation progress of the Academy Instructor Certificate Program (AICP) and representatives from Napa Valley College discussed the statewide delivery of the Academy Instructor Certification Course (AICC).

The Master Instructor Development Program (MIDP) also was reviewed by POST staff, MIDP graduates, and the San Diego Regional Training Center. The ISAC discussed future instructor development possibilities that could bridge the basic AICP with the MIDP. POST staff will report to the ISAC at the next meeting in November 2006.

Questions about the Instructor Standards Advisory Council may be directed to Senior Consultant Bryon G. Gustafson, Training Program Services Bureau, at (916) 227-3902 or bryon.gustafson@post.ca.gov.

EXECUTIVE DEVELOPMENT COURSE COMMENCES

On September 18, 2006, the first class of the Executive Development Course (EDC) for fiscal year 2006/07 commenced with 21 students in San Diego. A total of six classes have been scheduled and are fully booked. Two classes will be held in San Diego and the remaining four will be held in San Mateo. Some of the special topics covered in the course are critical issues in law enforcement, ethics, organizational development, and legal issues.

The new course manager for the EDC is Rick TerBorch from TerBorch & Associates. Mr. TerBorch is a Command College graduate, former Chief of Police, and the past president of the California Police Chiefs' Association.

Questions about the Executive Development Course may be directed to Senior Consultant John Dineen, Center for Leadership Development/Homeland Security Bureau, at (916) 227-4549 or john.dineen@post.ca.gov.

NATIONAL DISTRICT ATTORNEYS' ASSOCIATION OFFICIALS VISIT POST

On September 29, 2006, Mary Galvin and former Commissioner James Fox of the National District Attorneys' Association (NDAA) visited POST to investigate distance learning. Ms. Galvin is the Dean of the National College of District Attorneys, which is the education division of the NDAA. Mr. Fox is currently president-elect of the NDAA.

Dean Galvin was interested in the technologies used by POST to provide alternative methods to classroom-based training. The College currently broadcasts weekly programs via satellite to district attorney offices across the country, similar to POST's former telecourse delivery. They were interested in POST's transition to DVD training, as well as researching the possibility of delivering interactive training via the Internet. Staff demonstrated the various features on the POST Learning Portal as well as the interactive design of the online courses.

Questions about Dean Galvin's and Commissioner Fox's visit may be directed to Jan Myyra, Learning Technology Resource Center/Training Program Services, at (916) 227-4550 or jan.myyra@post.ca.gov.

VICTIM COMPENSATION PROGRAM ADVISORY COMMITTEE ATTENDED

On September 20, 2006, POST staff attended a Victim Compensation Program Advisory Committee meeting at the Victim Compensation and Government Claims Board. The agenda included a program update on legislation, restitution, and the recently-implemented computerized Compensation and Restitution System (CaRES).

The Committee heard remarks from Susan Fisher, the Governor's newly-appointed Crime Victim Advocate. The Committee also heard a presentation on the Department of Corrections and Rehabilitation pilot project which uses GPS Tracking on High Risk Sexual Offenders. The program has been successful in identifying parolees in violation of their conditions of parole and has resulted in many of these convicted sexual predators being returned to prison.

Questions about the Victim Compensation Program Advisory Committee may be directed to Senior Consultant Tricia Chisum, Training Program Services Bureau, at (916) 227-4895 or patricia.chisum@post.ca.gov.

POST ADVISORY COUNCILS ESTABLISHED

As directed by the Commission, POST established Advisory Councils for providing ongoing advice for its major programs. Contrasted with the many ad hoc committees that end when the project is concluded, members of Advisory Councils develop specific knowledge and expertise over time that provide programmatic continuity even when assigned POST staff are rotated or promoted. Staff believes these Advisory Councils have demonstrated substantial benefit to POST.

The following are the current POST Advisory Councils:

Training Program Services Bureau

Alan Deal, Bureau Chief – (916) 227-2820

- Instructor Standards Advisory Council
- Institute of Criminal Investigation Advisory Council
- Regional Skills Training Centers
- Distance Learning Advisory Council

Basic Training Bureau

Frank Decker, Bureau Chief – (916) 227-4261

- Basic Course Consortium (Academy Directors/Coordinators) Standing Alignment Cmte.
- Field Training Advisory Council
- Reserve Officer Program Advisory Council

Center for Leadership Development/Homeland Security Bureau

Ray Bray, Bureau Chief – (916) 227-4892

- Command College Advisory Council
- Supervisory Leadership Institute Advisory Council
- Management Course Presenter Advisory Council

Standards and Evaluation Services Bureau

Alan Deal, Acting Bureau Chief – (916) 227-2820

- Background Investigation Advisory Council
- Psychological Screening Advisory Council
- Medical Screening Advisory Council
- Basic Course Test Review Advisory Council

Questions concerning these Advisory Councils may be referred to the specific POST Bureau as indicated above.

CALENDAR OF EVENTS ON THE POST WEBSITE

Due to security concerns, the POST Calendar of Events is located within the Flagship Network on the POST Website. The Flagship Network is an electronic bulletin board for the Commission and sworn law enforcement personnel accessed through a user identification and password.

Information about obtaining access is located at http://www.post.ca.gov/library/p_ch/flagship_bb.asp. If you have access to the network but have forgotten your user identification or password, please send an email to clearinghouse@post.ca.gov.

LEGISLATIVE UPDATE

Information regarding bills with a Commission position appears on the following page.

REPORT DATE: September 30, 2006

STATUS OF LEGISLATION ON WHICH THE COMMISSION HAS TAKEN A POSITION

The following are bills in Legislative Session 2005-06 on which the Commission has taken, or will consider taking, a position. Other bills of interest to law enforcement stakeholders may be viewed at <http://www.post.ca.gov/about/legislation.asp>.

Bill # and Author	Title, Summary and Commission Position	Status of Bill
<u>AB 1942</u> (Nava)	Arrest of Caretaker Parents or Guardians of Minors: This bill would require POST to develop guidelines and training for use by state and local law enforcement officers to address issues related to child safety when a caretaker parent or guardian is arrested. It would express Legislative intent regarding the development of protocols by law enforcement and other entities pertaining to arrested caretaker parents or guardians of minors to ensure the safety and well-being of affected minors. Commission Position: Neutral	Chaptered (9-29-06) Ch. 729 Stats. 2006
<u>AB 2051</u> (Cohn)	Domestic Violence: This bill requires the Commission on Peace Officer Standards and Training (POST) to implement a training program on the handling of domestic violence complaints for law enforcement officers in California, and to consult with various groups on development of the program. Commission Position: Opposition withdrawn	Signed by Governor (9-30-06)
<u>AB 2133</u> (Torrico)	Peace Officers: Racial Profiling: Traffic Stops: This bill would expand an existing pilot program regarding peace officer racial profiling to all law enforcement agencies that conduct traffic stops; it would require POST to develop training and law enforcement agencies to develop policy provide training, and collect specified data; it would require the training to be completed by March 1, 2007, and annually thereafter. Commission Position: Oppose unless amended	Inactive (8-31-06)
<u>AB 2183</u> (Spitzer)	Peace Officer Training: Physical Fitness: This bill would require POST to develop guidelines for a voluntary physical fitness program for any agency that employs peace officers. It would authorize agencies that participate in the program to receive state aid. It would appropriate \$10 M from the general fund to POST to develop the guidelines and provide funds to participating agencies. Commission Position: Oppose	Inactive (8-31-06)

Bill # and Author	Title, Summary, & Commission Position	Status of Bill
<u>AB 2300</u> (Parra)	Crime Prevention Programs: Crime Stoppers Program: This bill would authorize counties to establish local crime stopper programs; provide immunity from liability to persons who report criminal activity to a local Crime Stoppers program; provide immunity from liability to persons who act on reports of criminal activity; and authorize a board of supervisors of a county to impose additional monetary criminal penalty (\$3 per fine) to fund these local programs. Commission Position: Oppose unless amended	Inactive (8-31-06)
<u>AB 2465</u> (De La Torre)	Pedestrian-Bicyclist Safety: Vehicles: School Safety Zones: This bill would authorize a pilot in Los Angeles County, cities within the county and school districts to establish a school pedestrian-bicyclist safety program within school zones. It would authorize that specified violations committed by drivers of vehicles within these zones would result in doubling of the fine for these offenses. Law enforcement agencies requested by the program administrator to assist in enforcement would be required to provide agency resources without additional funding. Commission Position: No position	Inactive (8-31-06)
<u>AB 2646</u> (Daucher)	Local Government: Coroners: This bill would require POST to evaluate the need to include specified training in the coroner's death investigation course to address terminal illness deaths attended by licensed hospice care providers. Commission Position: Neutral	Vetoed by Governor (9-30-06)
<u>AB 2854</u> (Dymally)	Insurance: Bail Bonds: This bill tolled the 180-day time limit to return a defendant after bail is forfeited in order to receive bail reinstatement if there is a pending request for extradition. Commission Position: No position	Vetoed by Governor (9-30-06)
<u>SB 1227</u> (Denham)	Prima Facie Speed Limits: Schools: School Zones: This bill would authorize a pilot study for the Counties of Merced and Monterey, cities with these counties and school districts to establish a school pedestrian-bicyclist safety program within school zones. It would reduce the "school zone" speed limit from 25 mph to 20 or 15 mph. Commission Position: No position	Inactive (8-31-06)
<u>SB 1544</u> (Migden)	Eyewitness Lineups: This bill requires the Department of Justice (DOJ) and the Commission on Peace Officer Standards and Training (POST), in consultation with local law enforcement, prosecutors, defense attorneys, and other legal experts, as specified, to develop guidelines for policies and procedures with respect to collection and handling of eyewitness evidence in criminal investigations by all law enforcement agencies in California by December 31, 2007. Commission Position: Neutral	Vetoed by Governor (9-30-06)

Bill # and Author	Title, Summary, & Commission Position	Status of Bill
<u>SB 1757</u> (Ortiz)	Fair Political Practices Commission: Investigators: This bill would appropriate \$15,000 from the General Fund to fund a feasibility study by the Commission on Peace Officer Standards and Training (POST) to advise on the appropriateness of proving peace officer status to investigators employed by the Fair Political Practices Commission. Commission Position: No position	Inactive (8-31-06)
<u>SB 1761</u> (Poochigian)	Victim Services: This bill would create the Victim Trauma Recovery and Child Advocacy Center Funds. It would authorize counties to establish child advocacy centers to coordinate the activities of various agencies involved in the investigation and prosecution of alleged child abuse and mitigation of family violence. It would authorize the Office of Emergency Services to administer the grant program associated with county child advocacy centers. It would redistribute funds within the State Penalty Fund, including increasing the Peace Officers' Training Fund by 9.5%. Commission Position: Neutral	Inactive (8-31-06)
<u>SB 1773</u> (Alarcon)	Fines and Forfeitures: This bill would authorize boards of supervisors to increase an existing penalty assessment to \$2 for every \$10 of fines, penalties, and forfeitures collected for criminal offenses. It would require 75% of the funds collected in this manner to be deposited into the Maddy Emergency Medical Services Fund, 15% to be deposited into the "Richie Fund" for expenditures related to pediatric trauma centers, and 10% of the funds collected to be used to address administrative costs. Commission Position: Oppose	Signed by Governor (9-30-06)